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NEWS RELEASE

Release Number: **S.C. 16/12**

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Summary of Cases Accepted During the Week of April 16, 2012

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The statement of the issue or issues in each case set out below does not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#12-40 *City of San Diego v. Trustees of the California State University, S199557.* (D057446; 201 Cal.App.4th 1134; San Diego County Superior Court; GIC855643, GIC855701, 37-2007-00083692-CU-WM-CTL, 37-2007-00083773-CU-MC-CTL, 37-2007-00083768-CU-TT-CTL.)

Petition for review after the Court of Appeal affirmed in part and reversed in part the judgment in a civil action. This case includes the following issue: Does a state agency that may have an obligation to make “fair-share” payments for the mitigation of off-site impacts of a proposed project satisfy its duty to mitigate under the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) by stating that it has sought funding from the Legislature to pay for such mitigation and that, if the requested funds are not appropriated, it may proceed with the project on the ground that mitigation is infeasible?

#12-41 *Long Beach Police Officers Assn. v. City of Long Beach, S200872.* (B231245; 203 Cal.App.4th 292; Los Angeles County Superior Court; NC055491.) Petition for review after the Court of Appeal affirmed an order denying a request for a preliminary injunction. This case presents the following issue: Are the names of police officers involved in on-duty shooting incidents subject to disclosure under the California Public Records Act?

#12-42 *People v. Nuckles, S200612.* (F061562; nonpublished opinion; Kings County Superior Court; 09CM3022.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. This case presents the following issue: Was defendant properly convicted of being an accessory to a felony for assisting another person to abscond from his parole term after serving his sentence for that felony?

#12-43 *In re Cameron*, S199997. (C065911; nonpublished opinion; Shasta County Superior Court; 10HB5321.) Petition for review after the Court of Appeal granted relief on a petition for writ of habeas corpus. The court ordered briefing deferred pending decision in *People v. Brown*, S181963 (#10-64), which presents issues concerning the retroactivity of former Penal Code section 4019, as amended to increase presentence custody credits for certain offenders.

DISPOSITIONS

Review in the following cases was dismissed in light of *In re Shaputis* (2012) 53 Cal.4th 192:

#11-22 *In re Macias*, S189107.

#11-42 *In re Loveless*, S190625.

The following case was transferred for reconsideration in light of *In re Shaputis* (2012) 53 Cal.4th 192:

#11-31 *In re Adamar*, S190226.

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